

and if such defendant appears and demurs or pleads, upon appeal, the action of the court on such demurrer and pleas will be reviewed. *Turpin v. Derickson*, 105 Md. 625. And as to the defendant's right of appeal, see *Long v. Long*, 9 Md. 355; *Lippy v. Masonheimer*, 9 Md. 315.

Where a decree *pro confesso* is entered fifteen days after the defendant's appearance, but testimony is taken more than two months after the entry of said decree and upon notice to the defendant, and such testimony remained in court the required time before a final decree was passed, such decree will not be reversed on account of the irregularity in entering the decree *pro confesso* before the expiration of twenty days from the appearance. *Bailey v. Jones*, 107 Md. 405.

A decree *pro confesso* held not to deprive a defendant of the benefit of having his testimony considered before the final decree. *Benson v. Ketchum*, 14 Md. 331.

This section does not mean that a defendant may never be let in to answer *after decrec*. *Oliver v. Palmer*, 11 G. & J. 149.

The last clause of this section applied. *Brooke v. Perry*, 2 Gill. 97.

Under the act of 1799, ch. 79, section 2, a defendant who had appeared and then failed to answer, was entitled to notice before a decree *pro confesso* was entered (see, however, notes to section 149). *Wampler v. Wolfinger*, 13 Md. 345.

This section referred to in deciding that a decree could be revised after enrollment only by a bill of review, save in exceptional cases. *Thurston v. Devecman*, 30 Md. 218.

For a case involving the length of time which testimony and an auditor's report must lie in court, where a defendant avails himself of the privileges conferred by this section, see *Oliver v. Palmer*, 11 G. & J. 441.

This section construed in connection with section 157—see notes thereto. *Belt v. Bowie*, 65 Md. 353.

Cited but no construed in *Wagner v. Shank*, 59 Md. 327; *Neale v. Hagthorp*, 3 Bl. 573; *Buckingham v. Peddicord*, 2 Bl. 453; *Fitzhugh v. McPherson*, 9 G. & J. 74.

1904, art. 16, sec. 144. 1888, art. 16, sec. 131. Rule 13.

**153.** Every bill or partition shall be expressed in terms as brief and concise as it reasonably can be, and shall contain no unnecessary recitals of documents of any kind, in *haec verba*, nor any impertinent matter, or matter scandalous and not relevant to the suit; and the same rule shall apply to all answers and pleas filed by defendants; and if this rule be violated the unnecessary or improper matter of averments may be stricken out at the cost of the party introducing the same.

See note to sec. 155.

*Ibid.* sec. 145. 1888, art. 16, sec. 132. Rule 14.

**154.** All bills and petitions in the introductory part thereof shall contain the names of all the parties, plaintiffs and defendants, by and against whom this suit is brought. The form shall be substantially as follows:

IN THE CIRCUIT COURT FOR COUNTY.

A B, *Plaintiff*,

against

C D, *Defendant*,

*To the Honorable the Judges of said Court:*

Your orator, complaining, says:

1. That, etc., making each paragraph contain a succinct but a complete statement of fact.

See note to sec. 155.